

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Brandice Elliott, Case Manager
Joel Lawson, Associate Director Development Review
DATE: January 29, 2013
SUBJECT: BZA Case 18494, 1780-1782 T Street, N.W.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the requested special exception pursuant to §§ 214 and 3104 to continue the use of the property as a parking lot for the adjacent Lauriol Plaza Restaurant, subject to the following conditions:

1. Approval shall be for a period of FIFTEEN (15) YEARS.
2. Twenty (20) parking spaces shall be provided on the lot as identified on the site plan dated October 23, 2012.
3. The lot shall be attendant-controlled during its hours of operation.
4. The lot shall be secured during all hours that it is not in operation.
5. Landscaping shall be maintained in a healthy growing condition and have a neat and orderly appearance.
6. The lot shall be cleaned daily and trash pick-up shall occur five times per week.
7. Any lighting of the parking lot shall be arranged so that all direct rays are confined to the surface of the lot.
8. All areas devoted to driveways, access lanes, and parking areas shall be maintained with an all-weather impervious surface paving material.
9. No vehicle or any part thereof shall be permitted to project over any lot or building line or on the public space.
10. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
11. No other use shall be conducted from or upon the premises, and no structure other than an attendant's shelter shall be erected or used upon the premises, unless the use or structure is otherwise permitted in the district in which the parking lot is located.

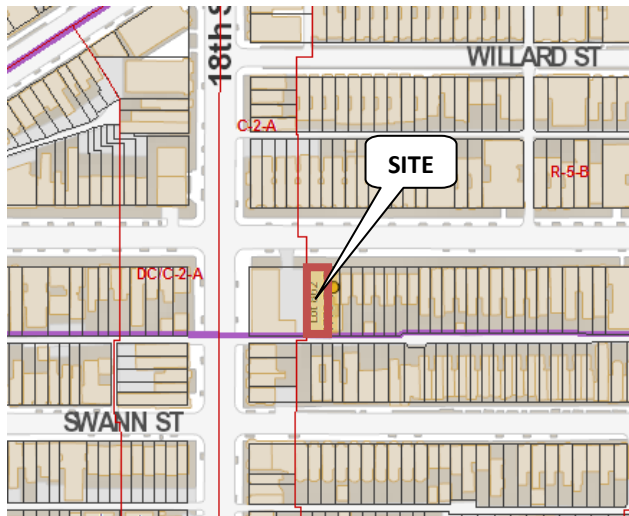
II. LOCATION AND SITE DESCRIPTION

Address	1780-1782 T Street, N.W.
Legal Description	Square 152, Lot 862
Ward	2

Lot Characteristics	The lot is rectangular and 4,893 square feet in area. The north side of the property is bordered by T Street and measures 32'-7", while the south side is adjacent to a 10 foot wide public alley. Access to the property is gained from a rolling gate located on the neighboring property to the west.
Zoning	R-5-B – Accessory parking spaces are permitted subject to special exception approval.
Existing Development	3,262 square feet of the lot consists of 20 surface valet parking spaces enclosed by a masonry wall and wooden fence, permitted in this zone with a special exception. The remaining eastern portion of the lot is developed as a row dwelling and detached accessory structure.
Previous Approvals:	In BZA Application No. 16301 (1998), the Board first granted approval for this off-site parking lot for a period of fifteen years and the same conditions proposed in this case.
Historic District	Strivers' Section Historic District
Adjacent Properties	To the north, across T Street, properties generally consist of row dwellings, zoned R-5-B. To the south, across the public alley, are additional row dwellings, also zoned R-5-B. The property along the east property line is Lauriol Plaza Restaurant, zoned C-2-A, which is currently served by the accessory parking spaces. Additional row dwellings are located along the west property line, zoned R-5-B.
Surrounding Neighborhood Character	The neighborhood character of T Street is generally residential, consisting of row dwellings and multi-family buildings. Commercial uses are located primarily along 18 th Street and abut residential uses along T Street.

III. APPLICATION IN BRIEF

The applicant, Lauriol Properties, is seeking a special exception under § 214 to continue the use of accessory parking spaces pursuant to 11 DCMR 3104.1. Lauriol Plaza Restaurant, located at the southeast corner of 18th Street N.W. and T Street N.W., has ten parking spaces on the property and is applying for the continued use of twenty accessory parking spaces located along the east property line. The western portion of this property, approximately 32 feet in width, consists of twenty paved parking spaces, while the remaining eastern portion, approximately 16 feet in width, is developed with a row dwelling and accessory detached structure. The accessory parking spaces have been in use since January 21, 1998, when the first special exception permitting the use of the spaces was obtained by the applicant. The applicant is not proposing any physical or operational modifications to the site.



Zoning and Vicinity Map



Aerial (Google Maps, 2013)

IV. BACKGROUND

The accessory parking spaces have supplemented parking for the Lauriol Plaza Restaurant since 1998 as permitted through a special exception granted by the Board of Adjustment. The Summary Order for BZA Application No. 16301 granted the use of the accessory parking spaces subject to eleven conditions, which are listed under the recommendation section of this report.

V. OFFICE OF PLANNING ANALYSIS

Section 214, Accessory Parking Spaces (R-1)

- 214.1 *Accessory passenger automobile parking spaces elsewhere than on the same lot or part of a lot on which any principal R-1 use is permitted, except for a one-family dwelling, shall be permitted as a special exception in an R-1 District if approved by the BZA under § 3104, subject to the provisions of this section.*

Section 3104 states the Board can grant special exceptions given the proposal "...will be in harmony with the general purpose and intent of the Zoning Regulations and Zoning Maps and will not tend to affect adversely, the use of neighboring property..."

The requested special exception can be granted in harmony with the general purpose and intent of the Zoning Regulation/Maps as the site has been used as a parking lot for 15 years, as approved through a special exception. The request does not propose any operational changes.

- 214.2 *Accessory parking spaces shall be in an open area or in an underground garage no portion of which, except for access, shall extend above the level of the adjacent finished grade.*

The subject accessory parking spaces are in an open area on a portion of a property from which there is no access. Access to the property is gained through the lot located along the subject property's west boundary and is minimized through the combination of a masonry wall, wood fence and landscape along the perimeter. The accessory parking spaces are not located above the level of the adjacent finished grade.

214.3 Accessory parking spaces shall be located in their entirety within two hundred feet (200 ft.) of the area to which they are accessory.

The accessory parking spaces are located, within their entirety, within 200 feet of the restaurant to which they are accessory.

214.4 Accessory parking spaces shall be contiguous to or separated only by an alley from the use to which they are accessory.

The accessory parking spaces are contiguous to a west adjoining parking lot for Lauriol Plaza Restaurant.

214.5 All provisions of chapter 23 of this title regulating parking lots shall be complied with, except that the Board may in an appropriate case under § 2303.3 modify or waive the conditions specified in § 2303.2 where compliance would serve no useful purpose.

The application is in compliance with the provisions of § 2303.2, as described below.

214.6 It shall be deemed economically impracticable or unsafe to locate accessory parking spaces within the principal building or on the same lot on which the building or use is permitted because of the following:

- (a) Strip zoning or shallow zoning depth;*
- (b) Restricted size of lot caused by adverse adjoining ownership or substantial improvements adjoining or on the lot;*
- (c) Unusual topography grades, shape, size, or dimensions of the lot;*
- (d) The lack of an alley or the lack of appropriate ingress or egress through existing or proposed alleys or streets; or*
- (e) Traffic hazards caused by unusual street grades or other conditions.*

The Lauriol Plaza Restaurant was constructed in 1995 and occupies more than half of the property. While ten parking spaces have been provided on the property, the restaurant requires additional parking spaces to accommodate patrons. Given that the lot is already developed, it would not be economically feasible to reconstruct the site to gain parking spaces. In addition, the configuration and dimensions of the property are not conducive to constructing underground parking, which would also be economically impractical.

214.7 Accessory parking spaces shall be so located, and facilities in relation to the parking lot shall be so designed, that they are not likely to become objectionable to adjoining or nearby property because of noise, traffic, or other objectionable conditions.

The accessory parking spaces are integrated with the parking lot that is associated with Lauriol Plaza Restaurant. The parking spaces are enclosed by a masonry wall and wood fence, securing the area and effectively creating a barrier between adjacent uses. The parking spaces are accessible only to an attendant and are secured when the parking lot is not in operation. Further, existing landscaping provides a buffer between the accessory parking spaces, screening them from neighboring lots. Due to these features, it is not likely that the spaces will become objectionable to adjoining or nearby property owners.

213.8 *Before taking final action on an application for use as an accessory parking space, the Board shall submit the application to the D.C. Department of Transportation for review and report.*

The Department of Transportation has not provided formal comments to the Office of Planning regarding the continued use of the accessory parking spaces.

Section 2303, Parking Lots

2303.1 *A parking lot in any district shall conform to the following provisions:*

- (a) *All areas devoted to driveways, access lanes, and parking areas shall be surfaced and maintained with an all-weather surface. In addition to traditional impervious surfaces, allowable all weather surfaces include porous (or pervious) concrete, porous asphalt, and/or mechanically-reinforced grass, excluding grass or gravel.*

The lot is paved with bituminous materials, which form an all-weather surface.

- (b) *The parking lot shall be designed so that no vehicle or any part of a vehicle projects over any lot line or building line.*

The parking lot is enclosed by a masonry wall along the north boundary and wood fence along the east and south boundaries, preventing vehicles from projecting over the lot lines.

- (c) *No other use shall be conducted from or upon the premises, and no structure other than an attendant's shelter shall be erected or used upon the premises unless the use is otherwise permitted in the district in which the parking lot is located.*

There are no other uses conducted on the subject parking lot, nor is there a structure on the lot.

- (d) *No vehicular entrance or exit shall be within forty feet (40 ft.) of a street intersection as measured from the intersection of the curb lines extended.*

There are no vehicular entrances or exits within 40 feet of a street intersection as measured from the intersection of the curb lines extended. The only entrance to the parking lot is from T Street, approximately 65 feet from the intersection of T Street and 18th Street.

- (e) *Any lighting used to illuminate a parking lot or its accessory buildings shall be arranged so that all direct rays of the lighting are confined to the surface of the parking lot.*

There are three floodlights affixed to the structure located along the east portion of the property, which provide lighting for the accessory parking spaces. The fixtures are approximately 9'-10" above grade and are shielded so that the light is directed downward and only illuminates the accessory parking spaces.

- (f) *The parking lot shall be kept free of refuse and debris and shall be landscaped. Landscape shall be maintained in a health growing condition and in a neat and orderly appearance. Landscaping with trees and shrubs shall cover a minimum of five percent (5%) of the total area of the parking lot or an area as determined by the Board of Zoning Adjustment for a parking lot otherwise requiring Board approval.*

As demonstrated in the photographs provided by the applicant, the parking lot is well-maintained and free of refuse and debris. In accordance with the conditions under which the previous special exception was approved, the lot is cleaned daily and trash pick-up occurs five times per week. Approximately 30 percent of the lot is dedicated to landscaping, including a larger landscape area along the T Street frontage and a 1.5 foot wide landscape area along the eastern edge of the parking spaces, between the parking lot and existing dwelling. The landscape areas effectively screen the parking spaces from T Street and adjacent residences.

2303.5 The Board may require any special treatment of the premises that it deems necessary to protect the value of adjacent property.

The Office of Planning makes no special treatment recommendations.

The Office Planning concludes that the subject application satisfies the provisions of §§ 214 and 2303 and the criteria for special exception relief per § 3104.

VI. COMMUNITY COMMENTS

As of this writing, comments have not been received from the ANC or adjacent neighbors regarding this request.